



TEMPORARY EMERGENCY ORDER of the City Manager

<h2 style="margin: 0;">COVID-19 Public Health Emergency Suspension of Public Records Disclosure Requirements</h2>			Category: COVID-19
			Number: 4.1
			Classification: Administration Public Records
Effective Date: 04/23/2020 – 5/4/2020	Waiver/ Suspends: SMC 2.35.050(B) Policy 100-05: Sections 4.2, 5.5(1), 5.6, 6.4, and 6.5	Policy Originator: City Manager	Approved By: City Manager <hr style="width: 80%; margin: 0 auto;"/> Debbie Tarry

1. PURPOSE:

The purpose of this Temporary Emergency Order is to provide a temporary suspension of certain provisions of SMC Chapter 2.35 and Policy 100-05 Disclosure of Public Records in response to the Washington State Governor’s Proclamation 20-28, as extended by Proclamation 20-28.1, regarding the Public Records Act to address the COVID-19 public health emergency.

2. IMPACTED INDIVIDUALS:

City of Shoreline Public Records Officer
Public Records Requestors

3. ORDER:

On March 24, 2020, the Washington State Governor issued a Proclamation waiving and suspending certain provisions of Washington’s Public Records Act, chapter 42.56 RCW (Proclamation 20-28). Specifically, Proclamation 20-28 suspended the requirement for in- person inspection of public records and the mandatory five (5) business day response period. Consistent with Proclamation 20-28, on March 31, 2020, the City Manager issued Temporary Emergency Order No. 4 suspending certain sections of the Shoreline Municipal Code (SMC) and the City’s Public Records Policy, Policy No. 100-05, to reflect the Governor’s action. On April 22, 2020, as provided in RCW 43.06.220(4), the leadership of the Washington State

Senate and House of Representatives extended the waivers and suspensions set forth in Proclamation 20-28 until the termination of the COVID-19 State of Emergency or May 4, 2020, whichever occurs first. In response, on April 23, 2020, the Governor issued Proclamation 20-28.1 memorializing the extension.

Proclamation 20-28 suspending certain provisions of the Public Records Act stated that the processing of public records by all public agencies statewide involved the conduct of business and, that strict compliance with the suspended provisions would prevent, hinder, or delay necessary action for coping with the COVID-19 State of Emergency in responding to public records requests by bringing people in contact with one another at a time when the virus is rapidly spreading. With Proclamation 20-28.1, the Governor reiterated that waiving and suspending laws and rules in chapter 42.56 RCW would prevent further spread of the virus because it limits/precludes in-person contact. The City concurs with and adopts the Governor's statement by reference.

THEREFORE, for the reasons set forth above and pursuant to the authority granted to the City Manager by the City Council under Resolution No. 456, this Temporary Emergency Order is issued providing the following:

1. SMC 2.35.050(B) is suspended in regard to the five (5) business day response time.
2. Section 5.6, Section 6.4, and Section 6.5 of Policy 100-05 are suspended in regards to the five (5) business day response time.
3. Section 4.2 and Section 7.1 of Policy 100-05 are suspended in regards to providing for in-person submittal of request and in-person inspection of public records.
4. Nothing in this Temporary Emergency Order relieves the City's Public Records Officer from responding to public records requests as promptly as possible and providing the fullest assistance to requestors given the reduced workforce and so long as such actions do not unreasonably disrupt the essential functions of the City necessary to respond to COVID-19.
5. This Temporary Emergency Order shall be in effect from April 23, 2020 until 11:59 pm Local Time on May 4, 2020 or the termination of the Governor's COVID-19 State of Emergency, whichever comes first.

Dated this 23rd day of April 2020.


Debbie Tarry
City Manager